

PATENT COOPERATION TREATY

PCT

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY**
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)



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| Applicant's or agent's file reference 10010612W001 | FOR FURTHER ACTION | | See Form PCT/IPEA/416 |
| International application No. PCT/JP2005/003253 | International filing date (day/month/year) 22.02.2005 | Priority date (day/month/year) 27.02.2004 | |
| International Patent Classification (IPC) or national classification and IPC Int.Cl. H04L9/08 (2006.01), B41J29/38 (2006.01), G06F3/12 (2006.01), H04L9/10 (2006.01) | | | |
| Applicant CANON KABUSHIKI KAISHA | | | |

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| 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. |
| 2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet. |
| 3. This report is also accompanied by ANNEXES, comprising: <ul style="list-style-type: none"> a. <input type="checkbox"/> a total of _____ sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). |
| 4. This report contains indications relating to the following items: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application |

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|--|---|
| Date of submission of the demand 22.11.2005 | Date of completion of this report 30.03.2006 |
| Name and mailing address of the IPEA/JP Japan Patent Office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan | Authorized officer NOBUYUKI ISHIDA Telephone No. +81-3-3581-1101 Ext. 3546 |
| | 5S 3365 |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2005/003253

Box No. I Basis of the report

1. With regard to the language, this report is based on:
 - the international application in the language in which it was filed
 - a translation of the international application into _____, which is the language of a translation furnished for the purposes of:
 - international search (Rules 12.3(a) and 23.1(b))
 - publication of the international application (Rule 12.4(a))
 - international preliminary examination (Rules 55.2(a) and/or 55.3(a))
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
 - the international application as originally filed/furnished
 - the description:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____
 - the claims:

Nos. _____ as originally filed/furnished

Nos.* _____ as amended (together with any statement) under Article 19

Nos.* _____ received by this Authority on _____

Nos.* _____ received by this Authority on _____
 - the drawings:

sheets/figs _____ as originally filed/furnished

sheets/figs * _____ received by this Authority on _____

sheets/figs * _____ received by this Authority on _____
 - a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:
 - the description, pages _____
 - the claims, Nos. _____
 - the drawings, sheets/figs _____
 - the sequence listing (*specify*): _____
 - any table(s) related to sequence listing (*specify*): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages _____
 - the claims, Nos. _____
 - the drawings, sheets/figs _____
 - the sequence listing (*specify*): _____
 - any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2005/003253

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

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|-------------------------------|--------|------|-----|
| Novelty (N) | Claims | 1-18 | YES |
| | Claims | | NO |
| Inventive step (IS) | Claims | | YES |
| | Claims | 1-18 | NO |
| Industrial applicability (IA) | Claims | 1-18 | YES |
| | Claims | | NO |

2. Citations and explanations(Rule 70.7)

D1: JP 11-296327 A (HEWLETT-PACKARD CO.) 1999.10.29

D2: JP 5-327748 A (FUJITSU LTD.) 1993.12.10

D3: JP 2003-308194 A (CANON INC.) 2003.10.31

[Claims 1-18]

In the written reply, the applicant argues that the invention of the present application is different from D1 and D2 in that the invention uses no IC card while an IC card is necessary in both D1 and D2.

In the field of cryptography, it is a well-known technique to generate an encryption key from a password (without an IC card). And the target of encryption by said encryption key is a matter of design variation. Since, D2 discloses the idea of encrypting the session key by key-encrypting-key generated from a password, the skilled person in the art would easily conceive the idea of employing said encryption key generated from a password as a key which is used to encrypt the session key in D1. Because no public key cryptosystem is used in these processes, no IC card is necessary.

Therefore, the subject matter of claims 1-18 does not involve an inventive step in the view of the documents D1, D2, D3 cited in the ISR.